

**Notice of Allowability**

Application No.

09/680,902

Applicant(s)

FERIA ET AL.

Examiner

Johnna R. Stimpak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview on August 18, 2005.
2. ☒ The allowed claim(s) is/are 1-10, 16 and 18-24.
3. ☒ The drawings filed on 06 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/22/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Susanne Diaz  
Susanne Diaz  
Primary Examiner  
AU 3623

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### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marc Richards (Reg. No. 37921) on August 18, 2005.

The application has been amended as follows:  
Please cancel claim 17.

Claims 1, 6, 18, 20 and 23 are amended.

1. (currently amended) A method for determining a cost for each user of an information technology system, the method comprising:

obtaining base costs;

obtaining ongoing direct costs;

obtaining ongoing indirect costs;

gathering information relating to user profiles and organizational characteristics;

inputting said costs and information into a computer ~~program to determining~~ and calculating by the computer the cost for each user and a plurality of appraisal metrics; wherein ~~said appraisal metrics include financial perspectives and non financial perspectives; the appraisal metrics include (i) financial perspective metrics determined from the obtained costs, (ii) operational effectiveness and efficiency metrics determined from the gathered information, and (iii) infrastructure and evolution perspective metrics determined from the gathered information;~~

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identifying interrelationship profiles between the financial perspective metrics and related operational effectiveness and efficiency metrics and related infrastructure and evolution perspective metrics;

assigning each of said appraisal metrics to correspond to an information technology organizational function category, wherein the organizational function category comprises service management; systems management; service planning and change management;

selecting an information technology organizational function category; and

reporting both the financial and non-financial appraisal metrics corresponding only to the selected category.

6. (currently amended) A method for analyzing costs associated with supporting an information technology system, the method comprising:

obtaining cost information;

obtaining system characteristics;

calculating by a computer appraisal metrics based on said cost information and said system characteristics; wherein the appraisal metrics include (i) financial perspective metrics determined from the obtained costs, (ii) operational effectiveness and efficiency metrics determined from the gathered information, and (iii) infrastructure and evolution perspective metrics determined from the gathered information;

defining interrelationship profiles between the financial perspective metrics and related operational effectiveness and efficiency metrics and related infrastructure and evolution perspective metrics;

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assigning each of said appraisal metrics to correspond to an information technology organizational function category, wherein the organizational function category comprises service management; systems management; service planning and change management;

comparing said appraisal metrics with established benchmarks; and

providing the appraisal metrics and cost information in separate reports for the corresponding organizational function categories.

18. (currently amended) The method of claim ~~17~~ 1, further comprising assigning the operational effectiveness and efficiency metrics into categories representative of (1) quality, (2) availability and (3) efficiency of the information technology system.

20. (currently amended) The method of claim ~~17~~ 1, further comprising assigning the infrastructure and evolution perspective metrics into categories representative of (1) adaptability and (2) growth of the information technology system.

23. (currently amended) The method of claim ~~17~~ 1, further comprising identifying a relationship in said profile as a complementary relationship, a trade-off relationship or an influential relationship.

The following is an examiner's statement of reasons for allowance: The cited prior art taken alone or in combination fails to teach the claimed invention set forth in claims 1-10, 16 and 18-24. Specifically the invention set forth in claims 1-5, 18-21 and 23 is directed to a method of determining a cost for each user of an information technology system by gathering base costs, ongoing direct costs and ongoing indirect costs along with information relating to user profiles and organizational characteristics; calculating by a computer appraisal metrics including

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financial perspective metrics, operational effectiveness and efficiency metrics and infrastructure and evolution metrics; identifying interrelationship profiles between the appraisal metrics; assigning each of the appraisal metrics to correspond to an information technology organizational function category, including service management; systems management; service planning and change management; selecting an information technology organizational function category; and reporting both the financial and non-financial appraisal metrics corresponding only to the selected category. The closest prior art, TCO Analyst, teaches a total cost of ownership methodology including obtaining base costs, direct costs and indirect costs to conduct benchmarks to help organizations understand IT costs. However, TCO Analyst fails to include calculating financial perspective metrics, operational effectiveness and efficiency metrics and infrastructure and evolution metrics and identifying interrelationship profiles between each of the metrics. Nor does TCO Analyst teach assigning the appraisal metrics to an information technology category, selecting that information technology category and reporting both the financial and non-financial appraisal metrics corresponding to the selected organizational function category.

The invention set forth in claims 6-10, 16, 22 and 24 is directed to analyzing costs associated with supporting an information technology system by obtaining costs and system characteristics and calculating by a computer, based on cost information and system characteristics, appraisal metrics including financial perspective metrics, operational effectiveness and efficiency metrics and infrastructure and evolution metrics; defining interrelationship profiles between the appraisal metrics; assigning each of the appraisal metrics to correspond to an information technology organizational function category, including service

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management; systems management; service planning and change management; comparing appraisal metrics with benchmarks and providing the metrics and cost information in separate reports for the corresponding categories. The closest prior art, TCO Analyst, teaches a total cost of ownership methodology including obtaining costs and system information to conduct benchmarks to help organizations understand IT costs. However, TCO Analyst fails to include calculating financial perspective metrics, operational effectiveness and efficiency metrics and infrastructure and evolution metrics and identifying interrelationship profiles between each of the metrics. Nor does TCO Analyst teach assigning the appraisal metrics to an information technology category, comparing the appraisal metrics with established benchmarks and reporting both the appraisal metrics and cost information corresponding to the selected organizational function category.

Examiner notifies applicant that the following changes have been made to the specification by informal examiner's amendment. The specification as filed does not include cross-references to related applications: See 37 CFR 1.78 and MPEP § 201.11.

The specification has been amended as follows:

The following paragraph is to be inserted on page 1 at line 1 of the specification, preceding the background section.

This application claims priority from a provisional application entitled "MODE/IT FRAMEWORK v1.0" (U.S. Provisional Application Number 60/158,259), filed October 6, 1999, which is incorporated herein by reference.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Case et al, US 5,734,890 – system and method for analyzing procurement decisions and customer satisfactions

Ruffin, US 6,219,654 – method, system and program product for performing cost analysis of an information technology implementation

Morgan et al, US 5,799,286 – automated activity-based management system

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Stimpak whose telephone number is 571-272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

8/22/2005

*Susanna Diaz*  
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